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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 SAMUEL TITUS MBAT-ESSIEN,  
12 Petitioner,  
13 v.  
14 W.Z. JENKINS, II, Warden,  
15 Respondent.  
16

Case No. 2:23-cv-01306-MWF-PD

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION OF  
UNITED STATES  
MAGISTRATE JUDGE**


17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the  
18 records on file, and the Report and Recommendation of United States  
19 Magistrate Judge. Petitioner filed objections to the Report and  
20 Recommendation (Docket No. 13).

21 The Court reviewed the objections and engaged in a *de novo* review of  
22 those portions of the report to which Petitioner has objected. The objections  
23 are not wild – they address the central conclusion of the Report and  
24 Recommendation that Petitioner failed to engage in the required exhaustion.  
25 Nonetheless, the objections do not persuade this Court that the Magistrate  
26 Judge was incorrect. The Court therefore accepts the Magistrate Judge's  
27 Report and adopts it as its own findings and conclusions.  
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1           Accordingly, the Petition is dismissed without prejudice. Judgment  
2 shall be so entered.

3           IT IS SO ORDERED.

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5       Dated: June 28, 2023

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8           MICHAEL W. FITZGERALD  
9           United States District Judge  
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